

71049-4

1/29/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Terri Siemer-Aal
Regulatory Consultant
Siemer & Associates, Inc.
Agent for KIM-CI, LLC
3036 G Street
Reedley, CA 93654


JAN 29 2010

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Alternate Brand Name "Kim Blue Plant Growth Regulator"
EPA Reg. No. 71049-4
Application Dated December 15, 2009

Dear Ms. Siemer-Aal:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 12/15/09 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,


Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

| | | |
|---|--|--|
| 1. Company/Product Number KIM-C1, LLC/71049-4 | 2. EPA Product Manager Ms. Shaja Brothers Joyner | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) KIM-C1, LLC/KIM BLUE Plant Growth Regulator | PM# 20 | |
| 5. Name and Address of Applicant (Include ZIP Code) KIM-C1, LLC c/o Terri Siemer-Aal Regulatory Consulting 1036 G Street, Reedley, CA 93654 <input type="checkbox"/> Check if this is a new address | 6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: <input checked="" type="checkbox"/> EPA Reg. No. _____ Product Name _____ | |

Section - II

| | | |
|--|--|--|
| <input type="checkbox"/> Amendment - Explain below. | <input type="checkbox"/> Final printed labels in response to Agency letter dated _____ | NOTIFICATION JAN 29 2010 |
| <input type="checkbox"/> Resubmission in response to Agency letter dated _____ | <input type="checkbox"/> "Me Too" Application. | |
| <input checked="" type="checkbox"/> Notification - Explain below. | <input type="checkbox"/> Other - Explain below. | |

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of change per PR-Notice 98-10 to inform the Agency of an alternate brand name. The alternate brand name is KIM BLUE Plant Growth Regulator. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or CSF for this product.

Section - III

| | | | | | |
|---|--|--|-------------------|--|---|
| 1. Material This Product Will Be Packaged In: | | | | 2. Type of Container | |
| Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No | Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | <input type="checkbox"/> Metal | <input checked="" type="checkbox"/> Plastic |
| * Certification must be submitted | | If "Yes" Unit Packaging wgt. | No. per container | <input type="checkbox"/> Glass | <input type="checkbox"/> Paper |
| | | If "Yes" Package wgt. | No. per container | <input type="checkbox"/> Other (Specify) _____ | |
| 3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container | | 4. Size(s) Retail Container quart | | 5. Location of Label Directions <input type="checkbox"/> On Label <input checked="" type="checkbox"/> On Labeling accompanying product | |
| 6. Manner in Which Label is Affixed to Product | | <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled | | <input type="checkbox"/> Other _____ | |

Section - IV

| | | |
|--|-----------------------------------|---|
| 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.) | | |
| Name Terri Aal-Siemer | Title Regulatory Consultant | Telephone No. (Include Area Code) 559-637-4576 |
| <p align="center">Certification</p> <p>I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment of both under applicable law.</p> | | <p>6. Date Application Received (Stamped)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> |
| 2. Signature | 3. Title Regulatory Consultant | |
| 4. Typed Name Terri Aal-Siemer | 5. Date 12-15-09 | |

Terri Siemer-Aal Regulatory Consulting

1036 "G" Street
Reedley, CA 93654
Tele (559) 637-4576
FAX (559) 637-4578
Aalterri@aol.com

December 24, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460-0001

Subject: KIM-C1, LLC
CPPU Plant Growth Regulator, EPA Reg. No. 71049-4
Notification of alternate brand name, KIM BLUE Plant Growth Regulator,
per PR-Notice 98-10.

Dear Sir or Madam:

On behalf of KIM-C1, LLC enclosed is a notification of label change per PR-Notice 98-10. This notification is to inform the Agency of an alternate brand name that KIM-C1 will be marketing their CPPU Plant Growth Regulator registration (71049-4). The alternate brand name is KIM-BLUE Plant Growth Regulator.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR-Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

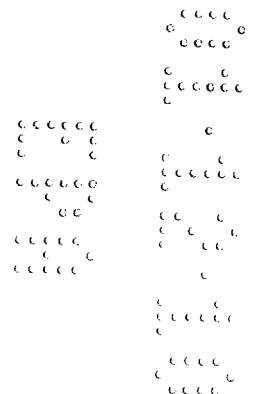
If you need any additional information or have any questions regarding this notification, please contact me.

Sincerely,



Terri Siemer-Aal
Regulatory Consultant
Associate, Siemer & Associates, Inc.
Agent for KIM-C1, LLC

1150notif/kimc1



KIM BLUE

Plant Growth Regulator

(Not For Use in California)

| | |
|------------------------|-----------|
| ACTIVE INGREDIENT | BY WEIGHT |
| Forchlorfenuron..... | 00.80% |
| OTHER INGREDIENTS..... | 99.20% |
| TOTAL..... | 100.00% |

NOTIFICATION

This package contains 8 grams active ingredient.
EPA REG. NO. 71049-4

JAN 29 2010
EPA EST. NO. 48498-CA-001

KEEP OUT OF REACH OF CHILDREN CAUTION

| FIRST AID | |
|---------------|--|
| If in eyes: | <ul style="list-style-type: none"> Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice. |
| If swallowed: | <ul style="list-style-type: none"> Call a poison control center or doctor immediately for treatment advice. Have a person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person. |
| If inhaled: | <ul style="list-style-type: none"> Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice. |
| NOTES: | <ul style="list-style-type: none"> Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In the event of a medical emergency, you may also contact the National Pesticide Telecommunications Network (NPTN) at 1-800-858-7378. |

PRECAUTIONARY STATEMENT

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION – Causes moderate eye irritation. Avoid contact with eyes or clothing. Harmful if swallowed, inhaled or absorbed through skin. Do not breathe vapors or spray mist.

Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical resistance category selection chart.

APPLICATORS AND OTHER HANDLERS MUST WEAR: long-sleeved shirt and long pants, chemical-resistant gloves such as barrier laminate or viton, butyl rubber, nitrile rubber, neoprene rubber, and polyvinyl chloride (PVC), shoes plus socks, and protective eyewear, goggles, safety shield, or safety glasses.

User Safety Requirements

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS:

Users should:

- Wash hands thoroughly with soap and water before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwater or rinsate.

STORAGE AND DISPOSAL:

Do not contaminate water, food, or feed by storage or disposal. Keep pesticide in original container.

PESTICIDE STORAGE: Keep under cool conditions.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE). The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water, is:
long-sleeved shirt and long pants;
chemical-resistant gloves such as barrier laminate, viton, butyl rubber, neoprene rubber, or polyvinyl chloride (PVC);
shoes plus socks;
protective eyewear such as goggles, safety shield, or safety glasses.

GENERAL DIRECTION FOR USE

IMPORTANT: Before application, read all use directions thoroughly. Use KIM BLUE Plant Growth Regulator only as directed.

This KIM BLUE Plant Growth Regulator package contains 8 grams of N-(2-chloro-4-pyridinyl)-N'-phenyl urea, or forchlorfenuron. Each fluid ounce KIM BLUE Plant Growth Regulator contains 0.25 grams of forchlorfenuron active ingredient (a.i.). Thus, 4 fluid ounces equals one gram of forchlorfenuron active ingredient.

KIM BLUE Plant Growth Regulator is an extremely potent plant growth regulator (PGR) that has been shown to improve the fruit size and fruit set of blueberries and grapes. However, excessive rates of KIM BLUE Plant Growth Regulator can result in undesirable results. For specific effects and benefits, see the Spray Guidelines by Crop section.

- Product efficacy requires thorough coverage of the flowers and/or fruit. Uniform spray coverage is essential to achieve the desired results.
- For best results, apply KIM BLUE Plant Growth Regulator under slow drying conditions, e.g. early in the morning, late in the afternoon, or at night, in order to ensure adequate uptake.
- For best results, the water pH should be close to neutral, and always below 8.5.
- DO NOT apply KIM BLUE Plant Growth Regulator to plants under stress. If plants under stress are treated, the effect may be reduced.
- DO NOT use overhead irrigation until sprays of KIM BLUE Plant Growth Regulator have dried completely.
- DO NOT apply KIM BLUE Plant Growth Regulator if rain is expected before sprays have dried completely.
- DO NOT apply this product through any type of irrigation system.
- Aerial application of KIM BLUE Plant Growth Regulator is prohibited.
- Use of **adjuvants**: Adjuvants, if used, should be of a non-ionic nature, such as Latron B1956®, and should not exceed 0.1% (v/v).
- **Compatibility**: Tank mixes of KIM BLUE Plant Growth Regulator with materials other than Gibberellic Acid, or a suitable non-ionic surfactant are not recommended.
- **Spray Method Restrictions**: Use only dilute sprays. Use kicker nozzles directed onto fruit from beneath the canopy on row and airblast sprayers. DO NOT apply by ULV or concentrate methods.
- DO NOT treat fruit by dipping. Use of the dip method for applying KIM BLUE Plant Growth Regulator may result in residues exceeding tolerance restrictions.
- Consult your local KIM-C1 agricultural representative for specific information on the best use recommendations for your particular crop.

SPRAY GUIDELINES BY CROP

Blueberries

Rabbiteye Blueberries in the Southeastern United States

Rabbiteye blueberries grown in the Southeastern United States have been shown through research to respond to applications of KIM BLUE Plant Growth Regulator with increased berry set and berry size. These responses are dependent on spray application timing in relation to the blueberry plant's physiological growth stage. Vigorous plants with capacity to support increased crop load have responded best to KIM BLUE applications.

Harvest may be delayed if KIM BLUE is used, due to the longer time period for the larger treated berries to mature.

Rate

Make a single application of KIM BLUE Plant Growth Regulator using 8 to 12 fluid ounces (2 to 3 grams a.i.) per acre. Make sure that flowers and/or berries are thoroughly covered by spray. Do not exceed the maximum rate of 12 fluid ounces (3 grams a.i.) per acre. Do NOT make more than one application per season.

Timing

Application timing is very important; for optimal response it should be based on flower development. Make a single application 10 to 17 days after 50% open bloom.

Spray Volume

Crop response to this product depends upon accurate, thorough application. Apply with ground sprayer only. It is important to wet all flowers and/or berries thoroughly. Apply enough spray volume to achieve thorough coverage and avoid spraying to runoff. Spray volumes of 100 GPA applied with conventional spray equipment have been shown to provide satisfactory coverage of vigorous, productive blueberry bushes.

Surfactant

A suitable non-ionic surfactant may be used with KIM BLUE, but it should not be used in amounts in excess of 0.25% (v/v). Be sure to follow surfactant label directions, especially for silicone-type non-ionic surfactants that are used at very low concentration in the spray mixture.

Tank Mixing

Do not tank mix KIM BLUE Plant Growth Regulator with any other agro-chemical except a suitable non-ionic surfactant.

Other Blueberries Grown Outside of California

Follow the use directions for "Rabbiteye Blueberries in the Southeastern United States" in addition to the following instructions:

1. In the southeast, Southern Highbush varieties may develop a severe leaf burn that can be extensive. Should a grower wish to treat Southern Highbush varieties, only a few bushes should be treated until it can be established that treatment can occur without harming the leaves.
2. All varieties have not been fully tested. If less widely planted varieties are to be treated, smaller treatments are recommended until grower experience with variety is obtained. If additional information is needed, check with your local extension agent.
3. Higher Rates to Delay Harvest – If harvest delay is desired and will aid in broadening harvest time, then higher rates should be used. If it is desired to broaden harvest timing with delayed fruit maturity, use rates as high as 40 fluid ounces (10 grams a.i.) per acre. Do NOT make more than one application per season.

Grapes

Seeded Grapes for Wine

An application of KIM BLUE Plant Growth Regulator has been shown to increase berry set, or berry size depending upon time of application. KIM BLUE Plant Growth Regulator treatment may delay grape maturity by slowing the accumulation of soluble solids. Color development may be delayed in colored varieties. These factors may cause a delay in harvest. The higher the rate of product applied, the greater the potential for maturity delay.

Rates

Make a single application of KIM BLUE Plant Growth Regulator using 8 to 40 fluid ounces (2 to 10 grams a.i.) per acre, making sure that clusters are thoroughly covered. In general, use lower rates to increase berry set (8-12 fluid ounces per 100 GPA). The higher the concentration the greater response for berry size and maturity delay. DO NOT exceed the maximum rate of 40 fluid ounces per acre. DO NOT make more than one application per season.

Timing

Make a single application per season. To increase berry set, apply KIM BLUE Plant Growth Regulator during bloom. To increase berry size, apply a single application of KIM BLUE Plant Growth Regulator 14 to 21 days after the completion of berry shatter. The timing may vary by variety. All varieties have not been fully tested.

Spray Volume

Use a volume of water between 100 and 200 gallons per acre (GPA). Spray volumes lower than 100 GPA may result in poor coverage and reduce the effectiveness of the application.

Tank Mixing

Tank mixes of KIM BLUE Plant Growth Regulator with any materials except a suitable non-ionic surfactant (see Use of Adjuvant section) are not recommended.

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of KIM-C1, LLC. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: To the extent consistent with applicable law, KIM-C1, LLC makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of KIM-C1, LLC is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, KIM-C1, LLC disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: To the extent consistent with applicable law, the exclusive remedy of the user or buyer for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid or at KIM-C1, LLC's election, the replacement of product.

FOR MORE INFORMATION CONTACT:

KIM-C1, LLC 135 W. Shaw Ave., Ste. 102, Fresno, CA 93704
(559) 228-3311

Latron B1956 is a trademark of Rohm and Haas

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